UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/578,528	05/08/2006	Yuichi Ozeki	062492	9482

38834   7590   05/21/2009
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EXAMINER
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ART UNIT	PAPER NUMBER
1791	

MAIL DATE	DELIVERY MODE
05/21/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Response to Amendment

Claims **12- 20 and 22- 23** stand **rejected.**

Claims **1- 11** and **21** are **cancelled**.

In view of the amendment, filed on 05/04/2009, following **rejections are withdrawn** from the previous office action for the reason of record.

  o   Rejection of claim 23 under 112 second paragraph

Following **rejections are maintained** for the reason of record as given in the previous office action. The bases of these rejections are the same as given in the office action, mailed on 02/05/2009.

  o   Rejection of claims 12- 20 and 22- 23 under 35 U.S.C. 103(a) as

       being unpatentable over Kondo et al. (WO 01/98067) in view of

       Yamashita et al (US 5,100,604)

Response to Arguments

Applicant's arguments filed on 05/04/2009 have been fully considered but they are **not persuasive**.

Applicant argues that "US 5,100,604 (hereinafter "US '604") does not describe the lower punch (3) (correlated with the lower outer punch of claim 12 of the present application) as being lowered, but instead, only that the upper

punch (5) descends for compression as shown in Fig 1c." (See remarks; page 8, lines 7- 11) Further, applicant argues that "the office action has misinterpreted the illustrations of Figs. 1a- 1d in view of the clear description provided in the specification of ('604) which describes only the die (2) and upper punch (5) as moving downward." (See remarks, page 8, and lines 7- 14) Moreover, applicant argues that "the cited art fails to teach or suggest, either alone or in combination, at least the recitation of claim 12 of the present application of a whole molding step of compression molding, the core molding and the molding material for the outer layer with the tips of the lower outer punch and the lower center punch aligned with each other." (See remarks, page 9, and lines 1- 4)

Applicant's argument was fully considered but was **not found persuasive** because Yamashita et al. (US '604) clearly teaches a method of making a resin bonded magnet of flaky pieces comprising the steps of providing composite granules obtained from a mixture of magnetically isotropic and fine pieces and compression molding the granules, wherein the process is implemented by a molding apparatus comprising a hopper (1), a die (2) in which the die (2) comprises a lower punch (3), a center core (4), an upper punch (5), and a cavity (7) as a molding cavity defined between the die (2) and the center core (4) and defined by the lower punch (3) with an open end (9); (See column 10 and lines 13- 31) further, Yamashita et al. (US '604) disclose the die (2) has a lower punch (3) designed to move vertically (see column 10, lines 18- 20) and further, Figs. 1a through 1d show a compression molding

procedure for compacting the molding material. (See column 3, lines 3-5) Thus,

according to the specification and figures 1a- 1d, Yamashita et al. (US '604)

clearly teach the steps of compression molding for an apparatus, and further

figures 1a- 1d clearly disclose the step of supplying the molding material (6)

into the compression molding system is implemented when a tip of the lower

center punch (4) takes a position of protruding from a tip of the lower outer

punch (3) by lowering the lower outer punch (3) in compare to the lower center

punch (4). Therefore, the teachings of Yamashita et al. (US '604) satisfies the

deficiency of Kondo et al. ('319) and the combination of Kondo et al. ('319) in

view of Yamashita et al. (US '604) clearly teach all the limitations of the claim

12.

Also, **applicant argues** that "it is not easy that a problem concerning a

molding nature of a finished molding is caused by the density of the side

surface. When a tablet with a core is manufactured by a method illustrated in

figure 1 of WO '067, sometimes a molding with the problem of a molding nature

is made. However, it is very difficult to recognize what is a cause of this

problem. Upon considering the cause of the problem in the method illustrated

in figure 1 of WO '067, a means for solving the problem must be reviewed.

Therefore, it is submitted that applicants are convinced that the present

application is not obvious in view of the cited art." (See remarks, page 10, lines

1- 8)

Applicant's argument was fully considered but was **not found persuasive** because none of the claims' recitations actually addresses the problem which is solved by the disclosed invention. The presented arguments broadly discuss that the products obtained by the method illustrated of WO '067 include a problem; however, the arguments do not discuss what the problem is. Furthermore, the arguments state that "it is very difficult to recognize what is the cause of this problem" and also discuss that the disclosed process in the present application solves this problem; however, it is not clear that how can be insured that the disclosed invention in the instant application solves a problem when the cause of that problem is not recognized.

Moreover, **applicant argues** that "each of the processes illustrated in Figs. 3 and 4 of WO '067 is a method for manufacturing a molding with a core having fully different processes from the present application. Accordingly, the processes illustrated in Figs. 3 and 4 of WO '067 do not provide a motivation to make the claims of the present application, even if the description of the processes of the present application has similar terms and expressions." (See remarks; page 10, lines 9- 13)

Applicant's argument was fully considered ,but was **not found persuasive** because applicant's attention is drawn to the point that Kondo et al. (WO '067) has not been used alone, but it is a combination rejection made over Kondo et al. (WO '067) in view of Yamashita et al. (US '604), and the combination of the cited prior arts clearly teach all the claim limitations of

claims 12- 20 and 22 – 23, and further there is a strong motivation to combine Kondo et al. (WO '067) and Yamashita et al. (US '604) as recited in the previous office action.

Therefore, rejection of claims 12- 20 and 22- 23 are maintained.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Seyed Masoud Malekzadeh whose telephone number is 571-272-6215. The examiner can normally be reached on Monday – Friday at 8:30 am – 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven P. Griffin, can be reached on (571) 272-1189. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

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/SEYED M. MALEKZADEH/

Examiner, Art Unit 1791

/Steven P. Griffin/

Supervisory Patent Examiner, Art Unit 1791